

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

	X	
	:	
In re:	:	Case No. 08-03423-EE
	:	
	:	Chapter 11
WAREHOUSE 86, LLC,	:	
	:	
Debtor	:	
	:	
	:	
	X	

**MOTION TO CONVERT CHAPTER 11 CASE
TO A CHAPTER 7 CASE**

Warehouse 86, LLC (the “Debtor” and “Debtor-in-Possession”), by and through its attorneys, files this Motion to Convert its Chapter 11 case to a Chapter 7 case, and in support thereof, presents to the Court the following:

1. On November 4, 2008 (the “Petition Date”), the Debtor filed its Voluntary Petition in this bankruptcy case under Chapter 11 of the Title 11 United States Code (the “Bankruptcy Code”). Pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code, the Debtor is continuing to manage its assets as Debtor-in-possession.

2. An Official Committee of Unsecured Creditors (the “Committee”) was appointed in this Bankruptcy Case on November 19, 2008 [Dkt. # 062].

3. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper in this Court under 28 U.S.C. §§ 1408 and 1409.

4. Warehouse 86, LLC believes that it is in the best interest of creditors of the Debtor for this Chapter 11 bankruptcy case to be converted to a case under Chapter 7 of the Bankruptcy Code at this time.

WHEREFORE, Warehouse 86, LLC respectfully requests that this Court will enter an Order converting this Chapter 11 case to a Chapter 7 case, and for such other relief as is deemed just and proper.

Dated: October 21, 2010.

Respectfully submitted,

WAREHOUSE 86, LLC

By: s/Stephen W. Rosenblatt

STEPHEN W. ROSENBLATT (MB # 5676)
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ITS ATTORNEYS

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CERTIFICATE OF SERVICE

I, Stephen W. Rosenblatt, certify that I have this date served, via electronic filing transmission or electronic mail, a true and correct copy of the above and foregoing pleading to the following persons:

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THIS, the 21st day of October, 2010.

s/ Stephen W. Rosenblatt

STEPHEN W. ROSENBLATT

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